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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

KIM, PETER B

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/741,016

Applicant(s)

TASAKI, MICHIIHIDE

Examiner

Peter B Kim

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2851

-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites card making means for detecting, and extracting the target image. However, according to the specification the ID card making section (3) is separate from the image processor (12) which detects and extracts the target image.

The remaining claims, not specifically mentioned, are rejected for incorporating the defects from the base claim by dependency.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (Parulski) (5,914,748)) in view of Hakamatsuka et al. (Hakamatsuka) (5,410,642).

Parulski discloses in Figure 1-4, a method and apparatus for detecting a photograph portion from image data and extracting a target image from the detected photograph portion (col. 2, lines 35-45). However, Paulski does not disclose using the method and apparatus to make an ID card or preventing forgery. Hakamatsuka discloses in the abstract and Figures 16, an ID card making and preventing forgery by including background with information that prevents forgery. Since making an ID card from the method and apparatus of Paulski is an intended use of the invention, it would have been obvious to one of ordinary skill in the art at the time of the invention to make ID cards with the invention of Paulski.

5. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto (6,356,339) in view of Hakamatsuka et al. (Hakamatsuka) (5,410,642).

Enomoto discloses in Figures 2 and 4, a method and apparatus for detecting a photograph portion from image data and extracting a target image from the detected photograph portion. However, Enomotoi does not disclose using the method and apparatus to make an ID card or preventing forgery. Hakamatsuka discloses in the abstract and Figures 16, an ID card making and preventing forgery by including background with information that prevents forgery. Since making an ID card from the method and apparatus of Enomoto is an intended use of the invention, it would have

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been obvious to one of ordinary skill in the art at the time of the invention to make ID cards with the invention of Enomoto.

6. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriya et al. (Moriya) (4,896,208) in view of Hakamatsuka et al. (Hakamatsuka) (5,410,642).

Moriya discloses in Figure 1, 2 and 6, a method and apparatus for detecting a photograph portion from image data and extracting a target image from the detected photograph portion. However, Moriya does not disclose using the method and apparatus to make an ID card or preventing forgery. Hakamatsuka discloses in the abstract and Figures 16, an ID card making and preventing forgery by including background with information that prevents forgery. Since making an ID card from the method and apparatus of Moriya is an intended use of the invention, it would have been obvious to one of ordinary skill in the art at the time of the invention to make ID cards with the invention of Moriya.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Kim whose telephone number is (703) 305-0105. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams, can be reached on (703) 308-2847. Any inquiry of a general

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nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in cursive script that reads "Alan A. Mathews".

Alan A. Mathews  
Primary Examiner

PBK  
5/31/02